

IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE WESTERN DISTRICT OF PENNSYLVANIA

IN RE:	)	
	)	
SUSAN M. BABJAK,	)	Bankruptcy No. 16-20288-TPA
Debtor.	)	Chapter 13
	)	
	)	
SUSAN M. BABJAK	)	
	)	
Movant,	)	Related to Doc. 109 & 110
	)	
vs.	)	Hearing: March 3, 2021 @ 9:30 am
	)	
U.S. DEPARTMENT OF HOUSING	)	
& URBAN DEVELOPMENT	)	
Respondent	)	

RESPONSE TO DEBTOR’S MOTION TO COMPEL

The United States of America, on behalf of the United States of America by and through the U.S. Department of Housing & Urban Development (“HUD”), by its attorneys, Scott W. Brady, United States Attorney for the Western District of Pennsylvania, and Jill Locnikar, Assistant United States Attorney, responds to the Motion to Compel as follows:

1. The averments set forth in paragraph 1 of the Complaint are admitted.
2. The averments set forth in paragraph 2 of the Complaint are admitted.
3. The averments set forth in paragraph 3 of the Complaint are admitted.
4. HUD is without knowledge or information sufficient to form a belief as to the truth of the allegations in paragraph four (4) of Plaintiff’s Motion.

NEW MATTER

5. The United States avers that HUD is in the process of preparing the documents to effectuate the release of lien on Debtor's real property. HUD will then send the lien release to the county to be recorded.

WHEREFORE, the United States respectfully requests that this Honorable Court deny the Motion to Compel as moot because HUD is in the process of releasing its lien.

Respectfully submitted:

SCOTT W. BRADY  
United States Attorney

Dated: 2/8/2021

/s/ Jill Locnikar  
JILL LOCNIKAR  
Assistant United States Attorney  
Joseph F. Weis, Jr. United States Courthouse  
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PA. I.D NO. 85892  
Counsel for the United States of America

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CERTIFICATE OF SERVICE

I certify under penalty of perjury that I served or caused to be served the response to Debtor's Motion to Compel by first class mail or electronic means on the below.

**Service by Electronic Notification:**

Rodney D. Shepherd, Jr.  
[rodsheph@cs.com](mailto:rodsheph@cs.com)

Ronda J. Winnecour Chapter 13 Trustee  
[cmecf@chapter13trusteedpa.com](mailto:cmecf@chapter13trusteedpa.com)

**Service by First Class Mail:**

**Susan M. Babjak**  
134 Mt. Vernon Avenue  
Pittsburgh, PA 15229

Dated: 2/8/2021

/s/ Jill Locnikar  
Jill Locnikar  
Assistant U.S. Attorney